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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/001,552	10/31/2001	Ali Bani-Hashemi	2000P09022US01	7658

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Siemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

EXAMINER

PATEL, SHEFALI D

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 12/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/001,552

Applicant(s)

BANI-HASHEMI ET AL.

Examiner

Shefali D Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 14 is objected to because of the following informalities: claim 14 depends on claim 14 itself. Perhaps claim 14 ought to depend on claim 10. Appropriate correction is required.

Drawings

2. The informal drawings filed in this application on October 31, 2001 are acceptable for examination purposes. When the application is allowed, applicant will be required to submit new formal drawings (i.e., drawings that are not hand-drawn).

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6-10, 12-17 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Ono et al. (hereinafter, "Ono") (US 6,332,683).

With regard to claim 1, Ono discloses a method for illuminating a target point in a real scene (see, col. 4 lines 51-63. Please note that Ono is examining a blood flow and the fundus of the eye and blood flow in the vessels in various regions is considered a real scene), comprising the steps of: capturing image data of a scene (image data of the scene on crystal plate 4 represented by mark F from the eye E, col. 6 lines 40-44); identifying image data associated with

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a target point in the scene (identifying a target point in the scene as mark F which is displayed on crystal plate 4 as seen in Figure 3, col. 6 lines 53-57); and projecting a light beam at the target point in the real scene using the image data associated with the target point (projecting a light beam (col. 5 lines 9-16 and lines 46-49) by illuminating light by using the mark F, col. 6 lines 34-47).

With regard to claim 2, Ono discloses converting image coordinates (i.e., axis) of the target point (mark F) to light coordinates for directing the light beam (col. 7 lines 20-29); and processing the light coordinates to direct the light beam to the target point in the real scene (col. 8 lines 6-10).

With regard to claim 3, Ono discloses an integrated optical device for image capture and light projection as seen in Figures 1 and 13.

With regard to claim 4, Ono discloses projecting a laser beam 21 at col. 5 lines 46-49.

With regard to claim 6, Ono discloses displaying a scene (display 32, col. 6 lines 8-10 and col. 11 lines 28-31); and selecting a target point in the scene using the displayed scene (col. 12 lines 31-40).

Claim 7 recites identical features as claim 1 except claim 7 is a program storage device claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 7. Applicants' attention is further invited to col. 5 lines 66 to col. 6 line 5 for program storage device 29.

Claim 8 recites identical features as claim 2. Thus, arguments similar to that presented above for claim 2 is equally applicable to claim 8.

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Claim 9 recites identical features as claim 6. Thus, arguments similar to that presented above for claim 6 is equally applicable to claim 9.

Claim 10 recites identical features as claim 1 except claim 10 is a system claim. Thus, arguments similar to that presented above for claim 1 is equally applicable to claim 10.

Applicants' attention is further invited to Figures 1 and 13 for devices disclosed by Ono. The data processing devices disclosed at element 29a, image capture device 26, and an illuminating device at 1 (see, col. 6).

Claim 12 recites identical features as claim 3. Thus, arguments similar to that presented above for claim 3 is equally applicable to claim 12.

With regard to claim 13, Ono discloses illuminating device including a light-emitting plane at col. 5 lines 46-54 and col. 6 lines 37-44.

With regard to claim 14, Ono discloses activating a point source in the light-emitting plane (i.e., plane 4) that corresponds to a projection of the target point on the light-emitting plane (col. 6 lines 34-47).

Claim 15 recites identical features as claim 4. Thus, arguments similar to that presented above for claim 4 is equally applicable to claim 15.

With regard to claim 16, Ono discloses a laser beam generator (element 21, Figure 1, col. 5 lines 46-54); a deflector for deflecting the laser beam emitted from the laser beam generator (element 11, 11a, 11b, Figure 1, col. 5 lines 17-19); a plurality of motors, operatively connected to the deflector, for positioning the deflector to deflect the laser beam to the target point (rotary shafts disclosed at col. 5 lines 19-24).

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With regard to claim 17, Ono discloses generating control signals to control the plurality of motors to position the deflector at an appropriate angle (col. 5 lines 25-37).

Claim 19 recites identical features as claim 6. Thus, arguments similar to that presented above for claim 6 is equally applicable to claim 19.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al. (hereinafter, "Ono") (US 6,332,683).

With regard to claim 11, it would have been obvious matter of design choice to modify Ono's reference by having common optical properties between image capture device and illumination device since applicant has not discloses that having common optical properties solves any stated problem or is for any particular purpose and it appears that the Ono discloses both image capture device and an illumination device to have common optical properties because Ono does not discloses having not common properties. Ono's system as seen in Figures 1 and 13 would perform equally well with having common optical properties.

7. Claims 5 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ono et al. (hereinafter, "Ono") (US 6,332,683) in view of Kuban et al. (hereinafter, "Kuban") (US 5,359,363).

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With regard to claim 5 Ono discloses a camera that captures an image (col. 6 line 4) as disclosed above in claim 1 and the arguments are not repeated herein, but are incorporated by reference. Ono does not expressly disclose having an omni-directional camera. Kuban discloses omni-directional camera at element 32 Figure 6, col. 9 lines 28-43. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine the teaching of Kuban with Ono. The motivation for doing so is to determine the locations of x and y in the imaging array and by doing this one can transform an image from the input video buffer to the output video buffer exactly as suggested by Kuban at col. 8 lines 40-57. Therefore, it would have been obvious to combine Kuban with Ono to obtain the invention as specified in claim 5.

Claim 18 recites identical features as claim 5. Thus, arguments similar to that presented above for claim 5 is equally applicable to claim 18.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US 6,405,072 - A system for positioning and repositioning of a portion of a patient's body with respect to a treatment or imaging machine includes multiple cameras to view the body and the machine.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shefali D Patel whose telephone number is 703-306-4182. The examiner can normally be reached on M-F 8:00am - 5:00pm (First Friday Off).

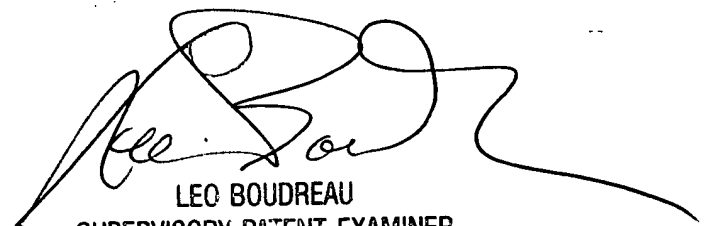
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leo H Boudreau can be reached on 703-305-4706. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shefali D Patel
Examiner
Art Unit 2621

December 1, 2004



LEO BOUDREAU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600